

EXECUTIVE CHAMBERS

HONOLULU

July 8, 2008

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2704

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2704, entitled "A Bill for an Act Relating to Ha'iku Valley."

The purpose of this bill is to establish a 9-member Ha'iku Valley Commission to establish policy and management oversight of an area referred to as the Ha'iku Valley Preserve.

This Administration supports cultural preservation of the valley and the many unique sites and artifacts that currently are located in this area. We understand and appreciate the concerns of the community in ensuring these sites are properly protected.

However, this bill is objectionable for several reasons. First, the measure fails to define the boundaries of the preserve. The bill proposes to purchase lands in the preserve area in fee simple, but fails to provide appropriations or other funding mechanisms to make purchases. It should be noted that most of the lands are privately held. The balance of the lands are held by the Department of Hawaiian Home Lands on behalf of their beneficiaries.

Further, it is unclear what would be gained from the fee simple purchase by the State of said lands. It should be noted that much of the mauka portion of the valley is already classified as conservation land. There are a number of laws already in place that control what can be done on conservation

STATEMENT OF OBJECTIONS
HOUSE BILL NO. 2704
Page 2

land, including fines and penalties against those who improperly use or trespass on these lands. The fines proposed in this bill appear to be unduly punitive.

This Administration believes that it is possible to address many of the issues raised by persons within the Hawaiian community and others who want to ensure that this unique area is properly maintained. I have already asked my Departments of Hawaiian Home Lands and Land and Natural Resources and Transportation to work with community members and federal officials to develop a long term approach that avoids the need for legislation and ensures access for all, while preserving the beauty and cultural significance of the valley.

For the foregoing reasons, I am returning House Bill No. 2704 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read 'Linda Lingle', written in a cursive style.

LINDA LINGLE
Governor of Hawaii